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April 5, 2011

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Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: PS Docket No. 06-229
City of Charlotte Request for Declaratory Ruling –
700 MHz Public Safety Eligibility**

Attn: Chief, Public Safety and Homeland Security Bureau

The City of Charlotte, North Carolina requested the FCC to clarify the permitted public safety operations on 700 MHz broadband spectrum for which Charlotte and nineteen others have been granted conditional waivers. The Iowa Statewide Interoperable Communications System Board (ISICSB) was one of those entities granted an FCC waiver to deploy a 700 MHz broadband network under a license lease with the Public Safety Spectrum Trust (PSST).

ISICSB has been involved in numerous discussions with the PSST, its Operators Advisory Committee (OAC) and FCC, and understands the issues involved relating to the permissible use of this spectrum, particularly in the Fourth Further Notice of Proposed Rulemaking.

ISICSB believes that there are compelling public interest arguments in favor of allowing secondary users, perhaps not previously recognized as public safety first responders, to use this spectrum under the license of a waiver recipient. These entities would include entities such as Iowa's Department of Transportation, and utilities. In blizzards, floods, and a host of other instances, the Iowa Department of Transportation and utilities work side-by-side as first responders protecting and saving life and property in Iowa.

We recognize that Charlotte's request is more limited in scope. As such, and as Charlotte is constrained by the time limits of their BTOP grant award, we believe it should be acted upon expeditiously and affirmatively.

ISICSB agrees that police, fire and emergency medical communications must have priority claims on 700 MHz capacity. Yet that can be accomplished by each operator in managing their network capacity while allowing the communications of other governmental agencies to employ this network. Are not, by definition, government agencies designed to protect and serve the greater public interest?

We believe that should the FCC interpret the authorizing statute in a limiting manner without recognizing that in a post September 11th era, the term first-responder or public safety responder has expanded to previously non-traditionally identified entities, the build-out of a national interoperable broadband network will seriously and substantially be affected, particularly in these austere economic times where partnerships among governmental agencies and public-private partnerships are the keys to success.

As we each try to work to achieve greater interoperability among our public safety responders, we substantially limit the meaning of that term by limiting the ability to operate and exchange information among those entities involved in protecting and serving the public on a common network.

Respectfully submitted,

Dina McKenna
Chair, ISICSB